

LMCLR 3.1
RIGHT TO AND ASSIGNMENT OF COUNSEL

1) Types of Proceedings. The right to a lawyer shall extend to all criminal proceedings for offenses punishable by loss of liberty.

2) Explaining the Availability of a Lawyer. When a person has been arrested he or she shall as soon as practical be advised of the right to a lawyer. The Milton Police Department shall allow a person in custody access to a telephone and the current contracted public defender's number if they choose to consult with an attorney.

3) Assignment of Lawyer. Unless waived, a lawyer shall be provided to any person who is financially unable to obtain one without causing substantial hardship to the person or to the person's family. The court will consult the current poverty guidelines as provided by RCW 10.101 to determine eligibility.

4) Withdrawal of Lawyer. When a case has been set for trial, no lawyer shall be allowed to withdraw, except upon consent of the court for good cause shown and upon substitution of another lawyer or upon the defendant's knowing and voluntary decision to proceed without a lawyer.

Upon completion of a case, a signed order deferring prosecution, or a Stipulated Order of Continuance, the lawyer shall be allowed to withdraw without consent of the court.

[Adopted effective June 20, 2003. Amended effective September 1, 2008]
